

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7394

Petition of Vermont Electric Power)
Company, Inc., and Vermont Transco, LLC,)
for authority to condemn easement rights in)
property interests of David P. & Carrie T.)
Hathaway, the Vermont State Employees)
Credit Union, Countrywide Bank, and the)
Countrysides of Waterbury Homeowners)
Association, Inc. and its Individual Members,)
in Waterbury, Vermont, for the purpose of)
constructing the 115 kV transmission line)
portion of the so-called Lamoille County)
Project)

Order entered: 11/12/2009

ORDER RE: COMPLIANCE FILING

On August 20, 2009, the Vermont Public Service Board issued a final Order ("Final Order") condemning certain real property belonging to David and Carrie Hathaway in Waterbury, Vermont, in order to facilitate the construction of the 115 kV transmission line portion of the so-called Lamoille County Project. Vermont Electric Power Company, Inc. ("VELCO") was ordered to submit a revised proposed easement deed that would be in the nature of a quitclaim deed.

On September 1, 2009, VELCO submitted a revised proposed easement deed to satisfy the compliance filing requirement in the Board's Final Order. At that time, VELCO also sought partial reconsideration of the requirement to fully revise the proposed easement deed to reflect the nature of a quitclaim deed. On October 19, 2009, the Board issued an Order ("Reconsideration Order") denying VELCO's request for partial reconsideration and directing VELCO to insert the following sentence into the final version of the proposed easement deed:

The Grantors, their successors and assigns, shall not erect or place within the limits of or upon the Easement Area any building, line, conduit, dam, levee, lake, pond or any other structure or thing, nor will any change in the grade or elevation of the Easement Area be made, which, in the judgment of the Grantee, might interfere with the exercise of the rights hereby conveyed.

On October 26, 2009, VELCO submitted a second, revised proposed easement deed to satisfy the compliance filing requirement in the Board's Final Order. We have reviewed VELCO's second, revised proposed easement deed and have determined that it complies with our Final Order, as well as with our Reconsideration Order. Therefore, VELCO's compliance filing of October 26, 2009, is approved without modification.

SO ORDERED.

Dated at Montpelier, Vermont, this 12th day of November, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: November 12, 2009

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)